



United States Department of the Interior

U.S. Fish and Wildlife Service

2321 West Royal Palm Road, Suite 103

Phoenix, Arizona 85021-4951

Telephone: (602) 242-0210 FAX: (602) 242-2513



In Reply Refer to:

July 8, 2003

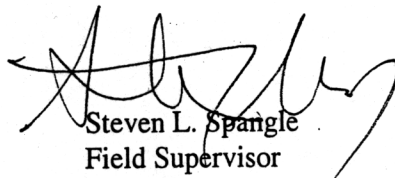
Dear Federal Partner:

On June 26, 2002, the Regional Director for Region 2 of the U.S. Fish and Wildlife Service and the Director of the Arizona Game and Fish Department (AGFD) signed a Memorandum of Agreement (MOA) entitled "State Wildlife Agency Participation in Implementing the Endangered Species Act: State of Arizona." The purpose of this agreement is to facilitate joint participation, communication, coordination, and collaboration between the Fish and Wildlife Service's Endangered Species Program and the AGFD regarding implementation of the Endangered Species Act of 1973, within the State of Arizona.

In this MOA we agreed to recommend to Federal action agencies that they invite AGFD to participate in all section 7 conferences and consultations involving wildlife in Arizona. The MOA also states that, subject to approval by the Federal action agency, the Fish and Wildlife Service would provide the AGFD with a copy of any documents pertinent to a formal section 7 consultation, as well as copies of biological evaluations and other appropriate project documents related to section 7 conferences and consultations. During subsequent discussions to develop specific implementation guidance for the MOA, we mutually agreed to modify it to say that the Federal action agency may provide the AGFD with a copy of any documents pertinent to a formal section 7 consultation. Therefore, we will not provide a copy directly to the AGFD.

In developing the implementation guidance for this agreement, we also mutually agreed that we would send all of the Federal action agencies with potential projects in Arizona this annual letter encouraging them to share their section 7 documents with the AGFD and we are requesting that all conference and consultation cover letters sent to us also be copied to the Department. We also encourage you to share biological assessments as well as draft and final biological opinions with the AGFD. Please be assured, however, that we will not provide any of your draft biological opinions to the AGFD without your consent. Additionally, AGFD participation for all formal and informal consultations will be subject to approval by any Tribal participant, availability of AGFD staff, and to regulatory time frames.

We believe that these extra efforts to include our State AGFD partners will result in a more efficient and more effective section 7 consultation process for all involved. Thank you in advance for your continuing cooperation in helping us to improve the section 7 process. Please contact me (602-242-0210, x240) or Tom Gatz (x240) if you have any questions about this agreement or this request. The contact for AGFD is John Kennedy at 602-789-3602, 2221 West Greenway Road, Phoenix, Arizona 85023.


Steven L. Spangle
Field Supervisor

cc: Regional Director, Fish and Wildlife Service, Albuquerque, NM (Attn: Susan MacMullin, DARD-ES)

Arizona Game and Fish Department, Phoenix, AZGFD (Attn: Terry Johnson)